

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3865-04  
Bill No.: SCS for HCS for HB 1443  
Subject: Children and Minors: Family Law  
Type: Original  
Date: April 30, 2002

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	(\$7,735 to over \$207,735)	(\$7,967 to over \$207,967)	(\$8,206 to over \$208,206)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$7,735 to over \$207,735)</b>	<b>(\$7,967 to over \$207,967)</b>	<b>(\$8,206 to over \$208,206)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

## FISCAL ANALYSIS

### ASSUMPTION

#### *SECTION 210.145* - Exemption from listing in Child Abuse Central Registry

None of the agencies responding indicated that this part of the proposal would have significant fiscal impact.

#### *SECTION 210.950* - Safe Place for Newborns Act

Officials from the **Department of Health and Senior Services (DOH)**, **Office of Prosecution Services** and the **State Public Defender** assume the proposed legislation would not fiscally impact their organizations.

Officials from the **Department of Social Services - Division of Family Services (DOS -DFS)** stated the proposed legislation would fiscally impact their organization due to the long term need to inform the public, especially women of child rearing years. The DFS would need additional funding to cover costs of producing, publishing, and distributing this legislated information on a regular basis. DOS officials stated that the cost to produce about 85,000 brochures annually would be \$7,735. DFS would distribute brochures to doctors offices, hospitals, clinics, WIC offices, all county offices of state agencies, county health agencies, colleges and universities and professional health and social service organizations across the state. DFS officials note that they would coordinate mailings of brochures with existing mailings and would not request additional funds to mail the brochures.

#### *SECTION 211.031 and 211.181* - Treatment Services in Least Restrictive Setting

Officials of the **Department of Social Services'** divisions of **Family Services (DFS)** and **Medical Services (DMS)** stated that they would be affected by this part of the proposal. DFS officials cannot estimate the number of children who might be affected by this proposal (children whose parents would place them in DFS custody because they could neither care for mentally ill children nor afford the cost of treatment) but anticipate costs of more than \$100,000 per year.

DMS officials note that some of the children would be Medicaid recipients and, to the extent that the Department of Mental Health lacks funds to provide treatments, DMS would be responsible for funding necessary care. DMS officials expect costs to Medicaid would be over \$100,000 per year to general revenue.

#### FISCAL IMPACT - State Government

FY 2003  
(10 Mo.)

FY 2004

FY 2005

#### **GENERAL REVENUE FUND**

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<u>Cost - Department of Social Services'</u> Division of Family Services			
Expense- Mental Health Treatment	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)
<u>Cost - Department of Social Services'</u> Division of Medical Services			
Expense- Medicaid costs for Mental Health Treatment of children	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)
<u>Cost - Department of Social Services'</u> Division of Youth Services			
Equipment and Expense- Brochures	(\$7,735)	(\$7,967)	(\$8,206)
Total <u>Costs</u> - Department of Social Services	<u>(\$7,735)</u>	<u>(\$7,967)</u>	<u>(\$8,206)</u>
<b>ESTIMATED EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(\$7,735 to over \$207,735)</u></b>	<b><u>(\$7,967 to over \$207,967)</u></b>	<b><u>(\$8,206 to over \$208,206)</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u><b>\$0</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal would keep the names of custodians, parents and guardians of children who were found by the courts to be in need of community-based services from being entered in the Division of Family Services' registry.

Part of this proposal, known as the "Safe Newborns Act of 2001", would protect a parent from prosecution of abandonment, for leaving a newborn, who is 30 days old or younger and has not

DESCRIPTION (continued)

been physically abused, at a licensed medical facility. The medical facility must treat the child, if necessary. If the parent expresses no intent to return for the infant, the medical facility must contact the Division of Family Services, which would be required to take physical custody of the child.

The Division of Family Services would provide information and answer questions about the process established by this proposal on the statewide, toll-free telephone number maintained pursuant to section 210.145, RSMo. In addition, it would provide information by way of public service announcements, or by other ways to deliver information about the process.

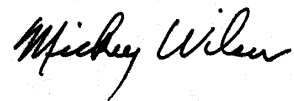
This proposal would grant juvenile courts jurisdiction in cases when a child is seventeen years of age and in need of mental health services which the child's guardian is unable to provide access to appropriate mental health services.

This proposal would allow courts to order that children receive services in the least restrictive setting and based on an individualized treatment plan.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. This legislation would not affect Total State Revenue.

SOURCES OF INFORMATION

Department of Social Services  
Department of Health  
Office of Prosecution Services  
State Public Defender



Mickey Wilson, CPA  
Acting Director  
April 30, 2002